Claims 9-19, 26, 42-52 and 59 were rejected under 35 USC § 103(a) as being unpatentable over Schwartz in view of "Official Notice."

Claims 20, 21, 23, 24, 28, 53, 54, 56, 57, and 61 were rejected under 35 USC § 103(a) as being unpatentable over Schwartz in view U.S. Patent No. 6,279,121 to Gamo ("Gamo").

Claims 29-33 and 62-66 were rejected under 35 USC § 103(a) as being unpatentable over Schwartz in view of Gamo and "Official Notice."

The rejections are traversed for at least the reasons discussed below.

THE REJECTIONS BASED ON THE PRIOR ART

Claims 27 and 60

Claim 27 requires, *inter alia*, "sending **from an application to a mobile interactions server** first data **describing a first graphical element for display on the mobile device**."

The second Office Action alleges that the "application" of Claim 27 is analogous to the "browser" that Schwartz discloses at col. 12, lines 15-18. It should be noted that this "browser" clearly resides on mobile device 602. The second Office Action apparently analogizes the "mobile interactions server" of Claim 27 to Schwartz's link server 606, and the "mobile device" of Claim 27 to Schwartz's mobile device 602. Therefore, if Schwartz does not disclose that the browser sends, to link server 606, data that describes a graphical element for display on mobile device 602, then Schwartz does not teach or suggest the method of Claim 27.

There are several sections of Schwartz that the second Office Action cites as disclosing, allegedly, the above feature of Claim 27. First of these sections is col. 8, lines

48-62. This section discusses messages that are communicated between various entities, but does not indicate that any such messages are sent from a browser, which the second Office Action analogized to Claim 27's "application," or that any such messages describe a graphical element for display on a mobile device.

Second of these sections is col. 11, lines 65-67. This section indicates that there are different types of display cards. Even if these display cards contain information for describing a graphical element on a mobile device, this section does not indicate that any of these display cards are sent from a browser to link server 606—the apparent alleged "mobile interactions server."

Third of these sections is col. 12, lines 1-14. This section merely describes in greater detail what each type of display card may contain. Like the previously discussed section, this section does not indicate that any of these display cards are sent from a browser to link server 606—the apparent alleged "mobile interactions server."

Fourth and last of these sections is col. 13, lines 1-3. This section states the obvious, that a display screen on mobile device 602 can display a graphical image. This does not in any way infer that the browser, which clearly resides on mobile device 602, sends any graphical image-describing data to link server 606—the apparent alleged "mobile interactions server."

Thus, none of the cited sections of Schwartz teaches or suggests, "sending **from an application to a mobile interactions server** first data **describing a first graphical element for display on the mobile device**" as required by Claim 27.

Thus, there exists at least one feature of Claim 27 that Schwartz does not teach or suggest. For at least the reasons discussed above, it is respectfully submitted that Claim 27 is patentable over Schwartz.

Claim 60 recites a computer-readable medium that carries instructions for performing the steps of the method of Claim 27. Therefore, it is respectfully submitted that Claim 60 is patentable over Schwartz for at least the reasons discussed above in relation to Claim 27.

Claims 28 and 61

Claim 28 depends from Claim 27 and therefore includes the features of Claim 27 that are distinguished from Schwartz above. Gamo also does not teach or suggest these features. Indeed, the Office Action does not even allege that Gamo teaches or suggests these features. For at least the reasons discussed above, it is respectfully submitted that Claim 28 is patentable over Schwartz and Gamo.

Claim 61 recites a computer-readable medium that carries instructions for performing the steps of the method of Claim 28. Therefore, it is respectfully submitted that Claim 61 is patentable over Schwartz and Gamo for at least the reasons discussed above in relation to Claim 28.

Claims 29-33 and 62-66

Claims 29-33 depend from Claim 27 and therefore include the features of Claim 27 that are distinguished from Schwartz above. Gamo also does not teach or suggest these features. Indeed, the Office Action does not even allege that Gamo teaches or suggests these features. Although "Official Notice" was taken in the rejections of Claims 29-33, the "Official Notice" did not allege that the features of Claim 27 distinguished from Schwartz above are common knowledge or well known in the art. For at least the

reasons discussed above, it is respectfully submitted that Claims 29-33 are patentable over Schwartz, Gamo, and the "Official Notice."

Claims 62-66 recite computer-readable media that carry instructions for performing the steps of the methods of Claims 29-33, respectively. Therefore, it is respectfully submitted that Claims 62-66 are patentable over Schwartz, Gamo, and the "Official Notice" for at least the reasons discussed above in relation to Claims 29-33.

Claims 1-8, 22, 25, 34-41, 55, and 58

In the response to the first Office Action, the Applicants contended that Schwartz fails to disclose or suggest the feature, "based on the first message, **determining whether the action is associated with an event type** of a plurality of **predetermined event types**," as recited in Claim 1.

The second Office Action asserted that Schwartz inherently teaches the determining of whether an action is associated with an event type. In support of this assertion, the second Office Action alleges, in the "Response to Arguments," that Schwartz discloses event types at col. 19, lines 32-44. Some of the alleged event types described in this section are "Softkey," "AlertSelect," "Accept," "GotoURL," and "DeleteSelect." The second Office Action asserts that different event types are needed to retrieve different types of HDML cards, the types of HDML cards being "display," "choice," "entry," and "no-display" cards (col. 11, line 65, through col. 12, line 14).

This is not entirely accurate, however. According to Schwartz, different event types are NOT needed to retrieve different types of HDML cards. For example, in response to an occurrence of an event of the "Softkey" event type, any type of HDML card may be retrieved: a "display" type card, a "choice" type card, an "entry" type card,

or a "no-display" type card. There is no event type other than "Softkey" that is needed to retrieve any of these types of HDML cards.

There are other aspects of Claim 1 that Schwartz fails to teach or suggest. According to Claim 1, if an action **is not associated** with one of a plurality of predetermined event types, then data describing a change to a graphical element is generated and sent to a client process. The alleged event types of Schwartz are "Softkey," "AlertSelect," "Accept," "GotoURL," and "DeleteSelect," according to the second Office Action's rationale in the "Response to Arguments."

The second Office Action alleges that Schwartz discloses Claim 1's feature, "if it is determined that the action **is not associated with the event type, then** . . . generating first data describing any change in the first graphical element, and sending the first data to the client process . . ." at col. 13, lines 29-38. These lines of Schwartz describe what happens when a user selects a soft key (col. 13, lines 25-29). "Softkey" is one of the alleged event types. Apparently, when a user selects a soft key, it generates a "Softkey" event ("for example, Softkey meaning a soft key activation," col. 19, lines 34-35). Thus, it appears that the operations described at col. 13, lines 29-38 are performed if an action **is** associated with an event type in the alleged plurality of predetermined event types ("Softkey"), rather than if the action is **not** so associated.

Furthermore, Claim 1 recites that if the action **is not associated** with one of the plurality of predetermined event types, then certain steps are performed **without invoking any method of the application**. In contrast, Claim 2 recites that if the action **is associated** with one of the plurality of predetermined event types, then **a method of the application is invoked**. The second Office Action alleges that Schwartz discloses Claim

2's feature, "**invoking** a particular event handling **method of the application** to provide the service," at col. 14, lines 18-58.

There is no mention of any "method" of an "application" being invoked in this section. This section describes certain operations being performed in response to either a user's selection of an "OK" soft key or a user's selection of a numbered key (col. 14, lines 10-16). There appears to be no significant difference between the operations disclosed in this section and the operations disclosed in col. 13, lines 29-38, which the second Office Action cited in the rejection of Claim 1. In both of these cited sections of Schwartz, the operations comprise a request being sent from mobile device 602 to link server 606, and "next screen display" information being sent from link server 606 to mobile device 602. "Next screen display" is in both col. 13, line 32, used in the rejection of Claim 1, and col. 14, line 16, used in the rejection of Claim 2.

Therefore, it is puzzling how the second Office Action can say that in one case, operations are performed **without invoking any method of the application**, but in the other case, the operations include **invoking a method of the application**. There is no difference in the actions, and there is no difference in the operations performed in response to the actions. In the case of Claim 1, the second Office Action appears to be saying that the user's selection of a graphical element is an action that **is not** associated with any of the plurality of predetermined event types, but in the case of Claim 2, the second Office Action appears to be saying that the user's selection of a graphical element is an action that **is** associated with one of the plurality of predetermined event types. In the case of Claim 1, the second Office Action appears to be saying that sending "next screen display" information from link server 606 to mobile device 602 is performed **without invoking any method of an application**, but in the case of Claim 2, the second

Office Action appears to be saying that sending "next screen display" information from link server 606 to mobile device 602 involves **invoking a method of the application** (although it still is indeterminable what, in Schwartz, the second Office Action means to analogize to the "method of the application" recited in Claim 2). The rejections of Claims 1 and 2 are inconsistent, and therefore, at least one or the other rejection cannot be maintained.

For at least the reasons discussed above, it is respectfully submitted that Claims 1 and 2 are patentable over Schwartz.

By virtue of their dependence from Claim 1, Claims 2-8, 22, and 25 include the features of Claim 1 distinguished from Schwartz above. Therefore, it is respectfully submitted that Claims 2-8, 22, and 25 are patentable over Schwartz for at least the reasons discussed above in relation to Claim 1.

Claims 34-41, 55, and 58 recite computer-readable media that carry instructions for performing the steps of the methods of Claims 1-8, 22, and 25, respectively. Therefore, it is respectfully submitted that Claims 34-41, 55, and 58 are patentable over Schwartz for at least the reasons discussed above in relation to Claims 1-8, 22, and 25.

Claims 9-19, 26, 42-52 and 59

Claims 9-19 and 26 depend from Claim 1 and therefore include the features of Claim 1 that are distinguished from Schwartz above. Although "Official Notice" was taken in the rejections of Claims 9-19 and 26, the "Official Notice" did not allege that the features of Claim 1 distinguished from Schwartz above are common knowledge or well known in the art. Therefore, for at least the reasons discussed above, it is respectfully

submitted that Claims 9-19 and 26 are patentable over Schwartz and the "Official Notice."

Claims 42-52 and 59 recite computer-readable media that carry instructions for performing the steps of the methods of Claims 9-19 and 26, respectively. Therefore, it is respectfully submitted that Claims 42-52 and 59 are patentable over Schwartz and the "Official Notice" for at least the reasons discussed above in relation to Claims 9-19 and 26.

Claims 20, 21, 23, 24, 53, 54, 56, and 57

Claims 20, 21, 23, and 24 depend from Claim 1 and therefore include the features of Claim 1 that are distinguished from Schwartz above. Gamo also does not teach or suggest these features. Indeed, the Office Action does not even allege that Gamo teaches or suggests these features. For at least the reasons discussed above, it is respectfully submitted that Claims 20, 21, 23, and 24 are patentable over Schwartz and Gamo.

Claims 53, 54, 56, and 57 recite computer-readable media that carry instructions for performing the steps of the methods of Claims 20, 21, 23, and 24, respectively. Therefore, it is respectfully submitted that Claims 53, 54, 56, and 57 are patentable over Schwartz and Gamo for at least the reasons discussed above in relation to Claims 20, 21, 23, and 24.
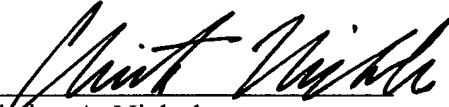
CONCLUSION

For the reasons set forth above, it is respectfully submitted that all of the pending claims are in condition for allowance. Therefore, the issuance of a formal Notice of Allowance is believed next in order, and that action is most earnestly solicited.

The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application.

Please charge any shortages or credit any overages to Deposit Account No. 50-1302.

Respectfully submitted,

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